

City Council Introduction: **Monday**, February 10, 2003
Public Hearing: **Monday**, February 24, 2003, at 5:30 p.m.

Bill No. 03R-38

FACTSHEET

TITLE: SPECIAL PERMIT NO. 1988, TAMARIN RIDGE COMMUNITY UNIT PLAN, requested by Brian D. Carstens and Associates on behalf of Susan and Donald Brouse, Thomas Folsom and National Bank of Commerce Trust and Savings Association, for approximately 441 dwelling units, with waiver requests, on property generally located southwest of the intersection of South 27th Street and Porter Ridge Road.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUESTS: Change of Zone No. 3381 (03-31); Preliminary Plat No. 02019, Tamarin Ridge (03R-39); Special Permit No. 1989 (03R-40); and Use Permit No. 147 (03R-41).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 12/11/02
Administrative Action: 12/11/02

RECOMMENDATION: Conditional Approval, with amendment (8-0: Carlson, Newman, Larson, Duvall, Bills-Strand, Taylor, Steward and Schwinn voting 'yes'; Krieser absent).

FINDINGS OF FACT:

1. This community unit plan and the associated change of zone, preliminary plat, planned service commercial area and use permit were heard at the same time before the Planning Commission on December 11, 2002.
2. The original staff recommendation to defer these applications was based upon the "Analysis" as set forth on p.4-6, concluding that with minor modifications, this special permit for C.U.P., the change of zone, the special permit for planned service commercial and the use permit are consistent with the Zoning Ordinance and Comprehensive Plan. However, additional information concerning grading, drainage and traffic improvements must be provided before it can be determined if the preliminary plat complies with all applicable standards.
3. At the public hearing on December 11, 2002, the Planning staff revised the recommendation on this community unit plan to conditional approval, as set forth in the staff report dated November 25, 2002. The conditions of approval are found on p.6-7.
4. The applicant has requested and the staff and Planning Commission recommend approval of the following waivers:
 - A. Maximum building height adjusted from 35' to 45' in the R-4 district; and
 - B. To defer the review and approval of site plans, ground signs and required landscape plans until time of building permit.
5. Testimony in support is found on p.8-11. The applicant requested amendment to Condition #2, changing the number of dwelling units from 391 to 441 (See Minutes, p.9 and p.28). The staff agreed with this proposed amendment.
6. There was no testimony in opposition; however, the Woodbridge Limited Partnership and the Lincoln Housing Authority object to the 22nd Street connection required in the associated preliminary plat (See Minutes p.11).
7. On December 11, 2002, the Planning Commission agreed with the revised staff recommendation of conditional approval and voted 8-0 to recommend conditional approval, with amendment to Condition #2 as requested by the applicant.
8. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been submitted by the applicant and approved by the reviewing departments.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY: _____

REFERENCE NUMBER: FS\CC\2003\SP.1988 Tamarin Ridge CUP

DATE: January 27, 2003

DATE: January 27, 2003

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

P.A.S.: Change of Zone #3381 **DATE:** November 25, 2002
Special Permit #1988 for C.U.P.
Preliminary Plat #02019 - Tamarin Ridge
Special Permit #1989 for Planned Service Commercial in H-4
Use Permit #147

****As Revised by Staff and Approved by Planning Commission: 12/11/02****

SCHEDULED PLANNING COMMISSION MEETING: December 11, 2002

PROPOSAL: CZ#3381 - A change of zone from AG to R-3, R-4, P, H-4 and O-3.

SP#1988 - To allow a community unit plan for 70 single-family lots and two lots for 321 multiple-family units.

PP#02016 - Creates 78 lots and two outlots.

SP#1989 - To allow 115,000 square feet of office/commercial floor area including an automobile dealership.

UP#147 - To allow 26,500 square feet of office floor area including 4,500 square feet of floor area for a drive-thru bank facility.

WAIVER REQUESTS:

1. Maximum building height from 35' to 45' in the R-4.
2. To defer the review and approval of site plans, ground signs and required landscape plans until time of building permit in the R-4, H-4 and O-3.

LAND AREA: Approximately 78.52 acres.

CONCLUSION: With minor modifications, this change of zone, special permit for C.U.P., special permit for planned service commercial and use permit are consistent with the Zoning Ordinance and Comprehensive Plan. However, additional information concerning grading, drainage and traffic improvements must be provided before it can be determined if the preliminary plat complies with all applicable standards.

RECOMMENDATION:

Special Permit #1988

Deferral Revised to Conditional Approval: 12/11/02

WAIVER REQUESTS

- Exceed Maximum Height in the R-4

Deferral Revised to Approval: 12/11/01

**- To allow the Planning Director to approve
site plans, ground signs and required
landscape plans at time of building
permit in the R-4, H-4 and O-3**

Deferral Revised to Approval: 12/11/02

GENERAL INFORMATION:

LEGAL DESCRIPTION:

Change of Zone #3381 - See attached.

Special Permit #1988 for C.U.P. - See attached.

Preliminary Plat #02019 - Tamarin Ridge - See attached.

Special Permit #1989 for Planned Service Commercial in H-4 - See attached.

Use Permit #147 - See attached.

LOCATION: Southwest of the intersection of South 27th Street and Porter Ridge Road.

APPLICANT/

CONTACT: Brian Carstens
Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
Lincoln, NE 68512 (402) 434-2424

OWNERS: Susan and Donald Brouse Thomas Folsom
6501 Campbell Drive 2186 Lakewood Drive
Lincoln, NE 68510 New Brighton, MN 55112
(402) 488-7328 (612) 339-7925

National Bank of Commerce Trust and Savings Association
c/o United Farm and Ranch Management
1248 O Street Suite 700
Lincoln, NE 68508 (402) 434-4498

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Agriculture

SURROUNDING LAND USE AND ZONING:

North:	Commercial, Residential, Vacant	R-4, O-3, and B-2
South:	Vacant	R-3
East:	Commercial, Utility Substation, Vacant	P, R-3, H-4
West:	Residential	R-3

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F25 - This area is designated for residential and commercial land use on the Future Land Use Map.

Page F27 - This area is shown within the City's Future Service Limit.

HISTORY: Preliminary Plat was submitted **September 13, 2002**.

Planning Director's letter was sent **October 15, 2002**.

Revised preliminary plat was submitted **November 12, 2002**.

UTILITIES: This site is located within the City's Future Service Limit, and City water and sewer service can be provided. Electricity, telephone and cable service can also be provided.

TRAFFIC ANALYSIS: South 27th Street is considered a minor arterial in the Comprehensive Plan at this location. Access from South 27th Street to this site is provided by both Tamarin Ridge Road and by Kendra Lane.

Connections to local streets to the north and west are shown, as are connections to the proposed streets that are shown in the approved preliminary plat of Stone Ridge Estates adjacent to the south.

ANALYSIS:

1. Several revisions must be made to the drainage plan before it will meet standards and can be approved. Those changes must be shown on the preliminary plat. The list of those items is included in the attached review from Public Works and Utilities.
2. A traffic study was included with the re-submittal of the plat, and it identifies a sight-distance problem at the intersection of South 27th Street and Tamarin Ridge Road. This issue must be addressed prior to consideration of this plat by the Planning Commission as it could result in relocation of the street. A change of that magnitude would be significant and would require additional review by staff. It would also change the legal descriptions for the change of zone, special permits and use permit, and new public notice would be required to reflect these changes.
3. Other issues have been raised by the traffic study that are not fully addressed with the preliminary plat, as noted in the attached review by Public Works and Utilities. These items must be corrected before the plat is acted on by the Planning Commission. Once the traffic issues have been addressed, a formal agreement must be prepared to reflect the developer's obligation for traffic improvements to the surrounding arterial street system.

4. To allow for adequate vehicle stacking at the intersection of Tamarin Ridge Road and South 27th Street, access to Tamarin Ridge Road must be relinquished between the 25' wide access easement and South 27th Street.
5. Utilities: Water - This development will be responsible for one-half the cost of an 8" equivalent water main along the South 27th Street frontage adjacent to the H-4 and O-3, and for one-half the cost of a 6" equivalent water main along the R-4.
Sewer - It was noted in the Director's Letter that the required information to determine sewer depth was not provided. The resubmittal indicates grading has been revised but it still does not provide enough information to make a determination. If the sewer depth exceeds the maximum allowed depth, it will require a waiver to design standards to be allowed.
6. The layout of the H-4, O-3 and R-4 is intended to provide compatibility with surrounding land uses and serve as a transition between commercial and residential uses. Tamarin Ridge Road marks the boundary between the commercial development extending along South 27th Street from the intersection at Pine Lake Road and the residential development approved in Stone Ridge Estates south of this project. Specifically, the apartments on Lot 6, Block 1, and the office uses on Lot 5, Block 1, are included to provide a transition and to reduce the pressure for additional commercial uses.
7. Waivers to front, side, and rear yard setbacks are requested in the H-4. The side yards are adjacent to either existing commercial uses, or to commercial uses being proposed as part of this project, and the impact of this waiver is minimal.

After an additional 60' of right-of-way is dedicated for South 27th Street, the reduced front setback from 50' to 40' is consistent with that of the existing commercial buildings to the north.

A waiver to the rear setback from 50' to 30' is requested along the R-4 and H-4 zoning boundary. However, this waiver is not appropriate unless additional screening is provided to mitigate the impact of H-4 adjacent to R-4. The landscape plan shows the landscape screen required of all apartment complexes, and also shows a 6' fence which acts as the required screen for the H-4. To compensate for the reduced setback, an additional landscape screen should be provided on the H-4 to act as an additional buffer. This additional screen can be designed to take advantage of the change in grade along the boundary and help provide a more effective buffer.

8. A waiver to building height in the R-4 is requested to allow apartment buildings up to 45' in height. This request is appropriate if the setback from the property line is increased one foot for every one foot a building exceeds the allowed maximum height. This allows the taller buildings to be built, but in a way that provides the appearance that the buildings are at a scale consistent with the surrounding neighborhood.
9. Cross-access between Tamarin Ridge Road and Kendra Lane is important to allow internal circulation among the office and commercial uses in the H-4 and O-3. This is accomplished by including a 25' access easement across Lot 4, Block 1. A note has been added to the site plan that states the owner has the right to prohibit vehicular access across this lot during non-

business hours. This is acceptable provided the hours of 11 p.m. to 7 a.m. are added to the note, consistent with the O-3 General Note #3.

10. The O-3 serves as a transition, and must be developed in a way that provides compatibility with adjacent residential uses. The architectural requirements in LMC Section 27.28.020 (a) of the R-T district were designed for this purpose, and if applied to the O-3 would ensure compatible development.
11. A waiver to defer the approval of site plans, sign plans and landscape plans until the time of building permits is requested to allow flexibility in the design of the layout in the R-4, O-3, and H-4. Granting this waiver is appropriate, provided it is a condition of approval.
12. A recreation plan is required by the Design Standards for the C.U.P. In their review of this project, Parks and Recreation suggested that the recreation facilities collocate with the proposed elementary school/park site. The recreation facilities located at the school are appropriate for older children and adults. However, facilities to accommodate small children should also be located on the site with the apartments so small children are not required to cross the street to reach play facilities, and so they can have a play area separate from the bigger kids.
13. In the L.E.S review of this plat it is noted that additional utility easements must be provided, the language identifying the 80' wide transmission easement must be corrected, and the General Notes must be revised.

CONDITIONS:

Special Permit #1988 for C.U.P.

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to show:
 - 1.1.1 The setback from the property line increased one foot for every one foot the building height exceeds 35'.
 - 1.1.2 Revise CUP General Note #5 to include language that the recreation plan shall be approved at time of building permits.
 - 1.1.3 Delete CUP General Note #6 relating to the timing of the installation of a landscape screen on Lot 6, Block 1.
 - 1.1.4 Revise the density calculations for Lot 6, Block 1 (math error).

1.1.5 Revise the Land Use Table to show six lots for Block 3, Lots 11-16, and to show Block 8, Lots 1-5 (not 1-6), and correct the cumulative totals.

2. This approval permits ~~394~~ 441 dwelling units. Waivers to maximum height from 35' to 45', and to defer the review and approval of site plans, ground signs and required landscape plans until the time of building permits, are approved for the multiple-family buildings in the R-4. (****Per Planning Commission, at the request of the applicant and agreed upon by staff: 12/11/02****)

General:

3. Before receiving building permits:
- 3.1 A recreation plan must be approved that includes recreation facilities for small children on-site with the apartments.
 - 3.2 A site plan showing building layout, including a landscape plan showing all required landscaping and the required screening for apartments, and any proposed signs.
 - 3.3 The construction plans shall comply with the approved plans.

Standard:

4. The following conditions are applicable to all requests:
- 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.

Prepared by:
Brian Will, AICP, Planner

**CHANGE OF ZONE NO. 3381;
SPECIAL PERMIT NO. 1988,
TAMARIN RIDGE COMMUNITY UNIT PLAN;
PRELIMINARY PLAT NO. 02019, TAMARIN RIDGE;
SPECIAL PERMIT NO. 1989 FOR PLANNED/SERVICE COMMERCIAL;
and
USE PERMIT NO. 147 FOR OFFICE/MEDICAL/FINANCIAL**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

December 11, 2002

Members present: Carlson, Newman, Larson, Duvall, Bills-Strand, Taylor, Steward, and Schwinn; Krieser absent.

Staff recommendation: Deferral, revised on 12/11/02 to approval of the change of zone and conditional approval of the community unit plan, preliminary plat, Special Permit No. 1989 and Use Permit No. 147.

Proponents

1. Jerry Slusky, attorney with the Omaha law firm of Gross, Welch, testified on behalf of the applicant and owners. This is a gorgeous 80 acre parcel sitting in one of the hottest areas for development in Lincoln. With the engagement of the engineering firm of Brian Carstens and Associates and other professionals, they have been working diligently with the city departments to pull together a mixed use plan that would be beneficial to the city and to attempt to transition the various uses within the plan from fairly intense commercial use of retail/automotive, working toward the residential to the south and to the west. There were a number of users that came forward that the applicant has been able to incorporate into the site.

In the northeast corner, the larger parcel (two outlots do not have identified users) has been identified and is under contract with Sid Dillon Enterprises to move their dealerships out to this site. Nissan is driving that decision to have them open a new dealership. They are putting together the site which fits the automotive uses and the city's master plan, buffering it enough from the adjacent west and south multi-family. Slusky believes this is a very sensible plan which balances the interests of the city, the automotive use and the developer.

Slusky advised that there are several banks interested in the retail use to the south as a drive-thru facility.

Slusky also observed that there is a lot of interest in the multi-family development. They anticipate having some sort of arrangement put together in the next several months.

Slusky further suggested that the LPS site will serve a crying need in this area for an additional public elementary school. By putting the school into the fabric of the mixed use development, the attempt has

been to balance the LPS interest into this equation by finding a way to get a major access at 27th and Tamarin Ridge Road with possibly a stop light. There was some issue with the sight line coming over the hill and that has been adjusted recently.

Slusky advised that the single family area is under contract with Krueger Development with single family transitioning to the multi-family to the north. There is an issue about whether to leave the 22nd Street stub connected to the north. This developer does not care and Mr. Krueger does not care. It might be preferable to not connect it. However, the developer would like to continue to proceed with this project making it ready for grading and infrastructure work immediately in the spring. Within the next couple of years, Lincoln would have the addition of a new school, several new single family homes, several hundred multi-family units, auto dealers and some retail.

2. Brian Carstens also testified on behalf of the applicant/owners, stating that he has been working with Public Works on the street profile for So. 27th Street. Carstens submitted the following motions to amend the conditions of approval:

Special Permit No. 1988:

2. This approval permits ~~394~~ 441 dwelling units. Waivers to maximum height from 35' to 45', and to defer the review and approval of site plans, ground signs and required landscape plans until the time of building permits, are approved for the multiple-family buildings in the R-4.

Preliminary Plat No. 02019:

- 1.3 The applicant submits revised centerline profiles for South 27th Street, Tamarin Ridge Road and Kendra Lane for review and approval by Public Works and Utilities.
- 1.4 The applicant submits a revised Traffic Impact Analysis for Tamarin Ridge for review and approval by Public Works and Utilities.

Special Permit No. 1989:

- 1.1.3 The H-4 General Note #13 modified to state "...DURING NON-BUSINESS HOURS, ~~11 P.M.~~ 8:00 P.M. TO 7 A.M."
- 1.1.4 The H-4 General Note #3 modified to state "...8:00 P.M. to 7:00 A.M."
- 1.1.5 The H-4 General Note #15 modified to state "...ON THE AUTO DEALERSHIP LOT ONLY." MENU BOARD SPEAKERS ON DRIVE THRU'S SHALL BE PERMITTED.
- 1.1.6 The H-4 General Note #14 modified to state, "OVERHEAD doors that open into mechanic/service bays on the south and west sides of the building SHALL BE 100% SCREENED WITH CONIFEROUS TREES, AT LEAST AS HIGH AND TWICE THE WIDTH OF SAID DOOR AT TIME

OF PLANTING. Doors for showroom access, new car prep or delivery area ARE EXEMPT FROM THIS SCREENING REQUIREMENT.

Carstens believes that staff is in agreement, except for Condition #1.1.6 of the planned service commercial Special Permit No. 1989.

Carstens explained that the proposed project has 441 dwelling units, which is the maximum allowable.

The requested amendment to Condition #1.1.3 of Special Permit No. 1989 is to clarify the common access easement through the dealership site. That common access easement will allow some of the internal trips to get up to the north. The dealership was concerned about this situation after business hours. The amendment to Condition #1.1.3 allows them to close some gates after their business hours.

Condition #1.1.5 of Special Permit No. 1989 has to do with the provision that there be no outdoor speakers permitted in the H-4 district. This provision was just for the automobile dealership. This condition clarifies that the provision about outdoor speakers only applies to the dealership lot in this project.

The condition at issue with staff is proposed Condition #1.1.6 of Special Permit No. 1989. The application originally had a general note that there be no overhead doors on the dealership building to the south or west toward the apartments. The proposed Condition #1.1.6 will provide that the "...overhead doors that open into mechanic/service bays on the south and west sides of the building shall be 100% screened, with coniferous trees, at least as high and twice the width of said door at time of planting. The doors for showroom access, new car prep or delivery area are exempt from this screening requirement." Carstens advised that this is the only issue that still needs to be worked out with the staff.

3. Scott Weiskamp, Director of Facilities for LPS, testified in support. He also expressed appreciation to the Planning Department in providing some foresight and direction for locating a school site. He also expressed an appreciation for the working relationship with Parks and Recreation. This joint venture has been a good one and the property owner and developer have been very cooperative in terms of some of the concerns and needs of the school regarding traffic flow and buffer zones. LPS does need a site in this area due to the significant growth south of Lincoln. The last elementary school built in this area was Cavett, which now has seven portables and some of the children are being bussed to inner city schools that are less crowded.

Carlson noted the trail along the south side. Carlson was attempting to get a sense of the walking and biking to the service area. Weiskamp stated that the general neighborhood footprint area that the school would serve would be a footprint of 14th Street to 27th Street and Pine Lake Road and probably even south of Yankee Hill Road in Wilderness Ridge. The trail proposed is not part of the formal city trail system, but would be an owner-managed and maintained trail system. LPS and the adjacent multi-family owners will be promoting this trail. It would provide access to the park across 27th Street. Carlson has some concerns with regard to Cavett Elementary. He believes it is very difficult to walk into Cavett and he is hoping this layout will facilitate pedestrian access to the school site, etc.

Weiskamp stated that LPS would recommend and promote trails to the school buildings, if possible. This trail extends to the west into Vavrina Meadows and to the east across 27th to the park area.

Steward inquired as to the design capacity for this school site. Weiskamp indicated that the educational specification has been around 525 students. LPS is beyond those numbers in the four newest ones, but that would be the ideal setting.

4. Tom Huston, 233 So. 13th, Suite 1900, appeared on behalf of **Woodbridge Limited Partnership** and the **Lincoln Housing Authority**. The Woodbridge Limited Partnership and LHA jointly constructed the Woodbridge project in the mid-1990's. That project contains 130 dwelling units of a mixed income. When the plat was approved by the City in the mid-1990's, his clients objected to any connection of So. 22nd Street to the development to the south. It was made known at that time and they continue with that objection today. Woodbridge was constructed to be a self-contained development because of the Helen Wood Drive address located to the east of the development. So. 22nd itself is a private street that meanders through Woodbridge development and the residents would still have full access to Pine Lake Road to the north and Helen Wood Drive to the south. Woodbridge also has many of its common facilities constructed adjacent to So. 22nd Street, including the clubhouse which is heavily used by all residents of the development and the mail kiosk is located thereby. Huston acknowledged that City design standards encourage connection of neighborhoods, but Huston's clients believe this development still complies if that 22nd Street connection is eliminated. The Helen Wood Drive access is more than adequate. Huston has worked with the developer and resolved some miscellaneous drainage issues, but the Housing Authority and Woodbridge Limited Partnership continue to object to the 22nd Street connection, continuing through Woodbridge.

Schwinn noted that the stub coming down to Woodbridge is not constructed. Schwinn wondered about a pedestrian easement instead of a street. Huston stated that his clients would agree with a pedestrian connection. They are concerned about the traffic and would be more than happy to make a pedestrian connection. Huston believes the proposal provides a great benefit to his clients and it helps the drainage situation. The new elementary school will be a great benefit to the neighborhood. Huston is only requesting that the street connection be eliminated and they would be glad to dedicate a pedestrian easement in lieu thereof.

There was no testimony in opposition.

Steward asked staff to respond to the amendments requested by the applicant. Brian Will of Planning staff concurred with the applicant's comments, including the objection by staff to Condition #1.1.6 of Special Permit No. 1989. The staff also recommends denial of the waiver of the rear yard setback from 50' to 30' in the H-4 district. One of the notes on the plan indicated that there would be no service doors to the south. The staff does not believe they can adequately mitigate. The staff recommends that the rear yard setback not be waived from 50' to 30' but rather, that the full setback be maintained as well as the landscaping requirements.

Schwinn confirmed that they have the ability to park cars in that setback.

Carlson inquired about the parking lot lighting on the car dealership. He does not see that addressed in the conditions of approval. He believes the dealerships on North 27th Street and I-80 have

significantly brighter lights that light up the neighborhoods. Will clarified that this issue is covered on the notes on the site plan. The same conditions are being required here as in the Duteau permit across the street, that being that the lighting is required to be reduced during off-business hours.

Schwinn inquired whether staff would object to changing the So. 22nd Street connection to a pedestrian easement. Will indicated that the intent is for So. 22nd Street to be connected on down to the south. Staff would oppose removing this connection and would not be in agreement with a pedestrian connection in lieu thereof. The staff would urge that the street connection be made, both for the convenience of the development to the north and to maintain compliance with the Comprehensive Plan, which attempts to implement these street connections to facilitate access and reduce the load on arterial streets.

Schwinn inquired whether the requirement for the So. 22nd Street connection on this project will also be a requirement for any development to the north. Will answered in the affirmative.

Newman inquired as to the distance between Hazel Scott Drive and Helen Wood Drive. Will did not know. Will further explained that there will be a block length issue if the So. 22nd Street connection is not required. It will exceed the minimum block length allowed by subdivision ordinance and would require the advertising of a waiver.

Schwinn pointed out that the Comprehensive Plan also notes alternative modes of transportation.

Response by the Applicant

Carstens confirmed that the bike trail does connect to the bike trail system in Porter Ridge Park and also over to Vavrina Meadows.

The applicant will agree to comply with the 50' setback in and H-4 and will do the screening.

With regard to the So. 22nd Street connection, this applicant and Rick Krueger do not care if So. 22nd Street is put in or not. They would also agree with a pedestrian easement. Carstens disagrees that there would be a block length problem.

Ray Hill of Planning staff advised the Commission regarding the So. 22nd Street connection. If this connection is not required, that will be a waiver and this project will have to be held over until the additional waiver can be advertised because it does not meet the block length requirement. Hill demonstrated the issue at the map. Unless So. 22nd Street goes through, you don't have a street that breaks the block length. This waiver was not advertised.

Irrespective of the requirement, Steward expressed his concern for public safety in the fact that so much of what is north of this property in the area where the street is in question is multi-family. The access to emergency equipment is significantly improved by having the So. 22nd Street connection. Hill believes it is also a benefit to the people to the north because there will be a median in Pine Lake Road. Their only way in and out would be a right-in and right-out without the connection. The So. 22nd Street connection will allow circulation through the neighborhood. Very few people would want to go through that area if going north because there is not a break in the median, so the staff did not see it as generating traffic from the south.

Carstens suggested that the Law Dept. will do a legal opinion on the block length issue and in the meantime, the applicant will agree to keep the So. 22nd Street connection to move this project along.

Public hearing was closed.

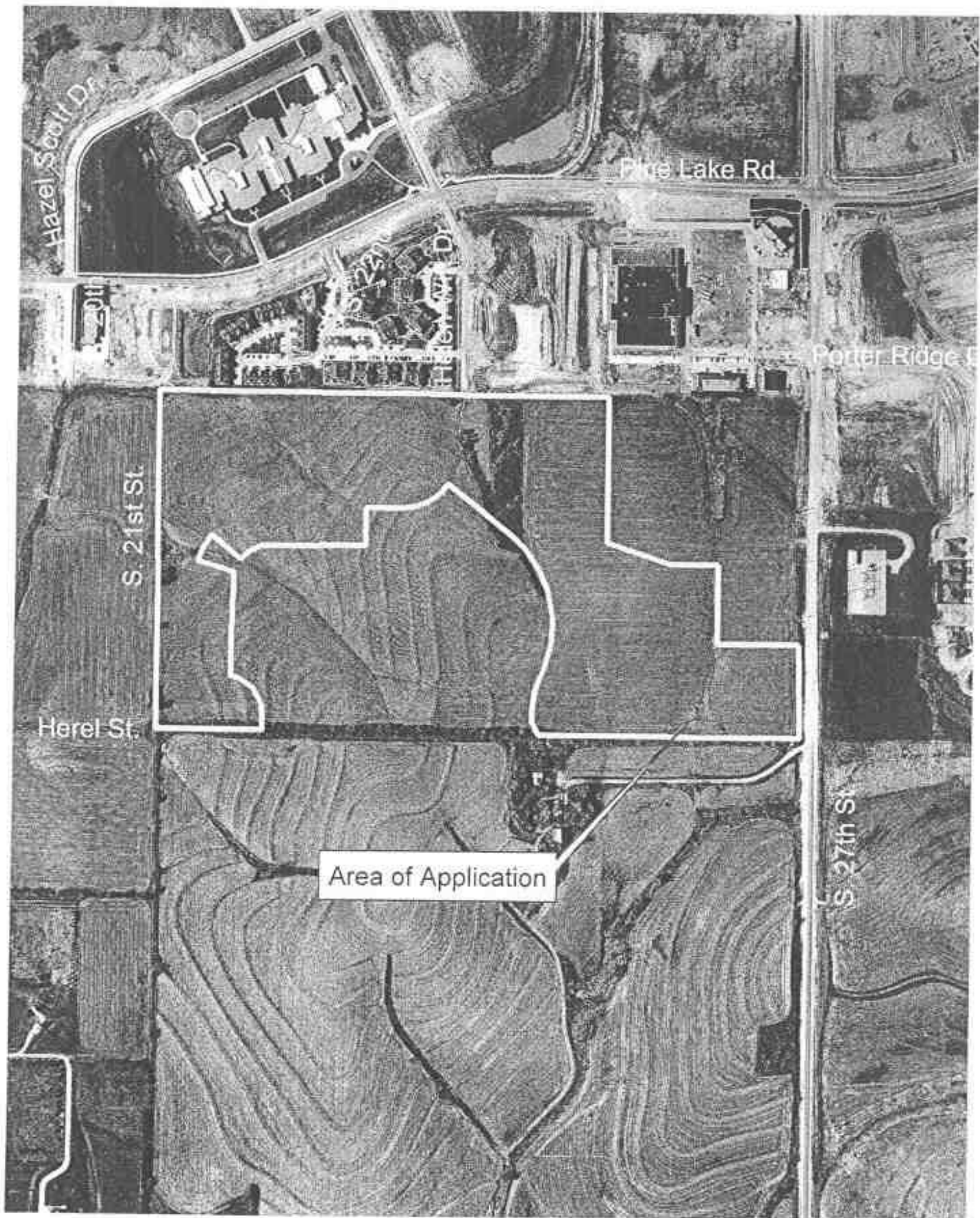
SPECIAL PERMIT NO. 1988,

TAMARIN RIDGE COMMUNITY UNIT PLAN

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

December 11, 2002

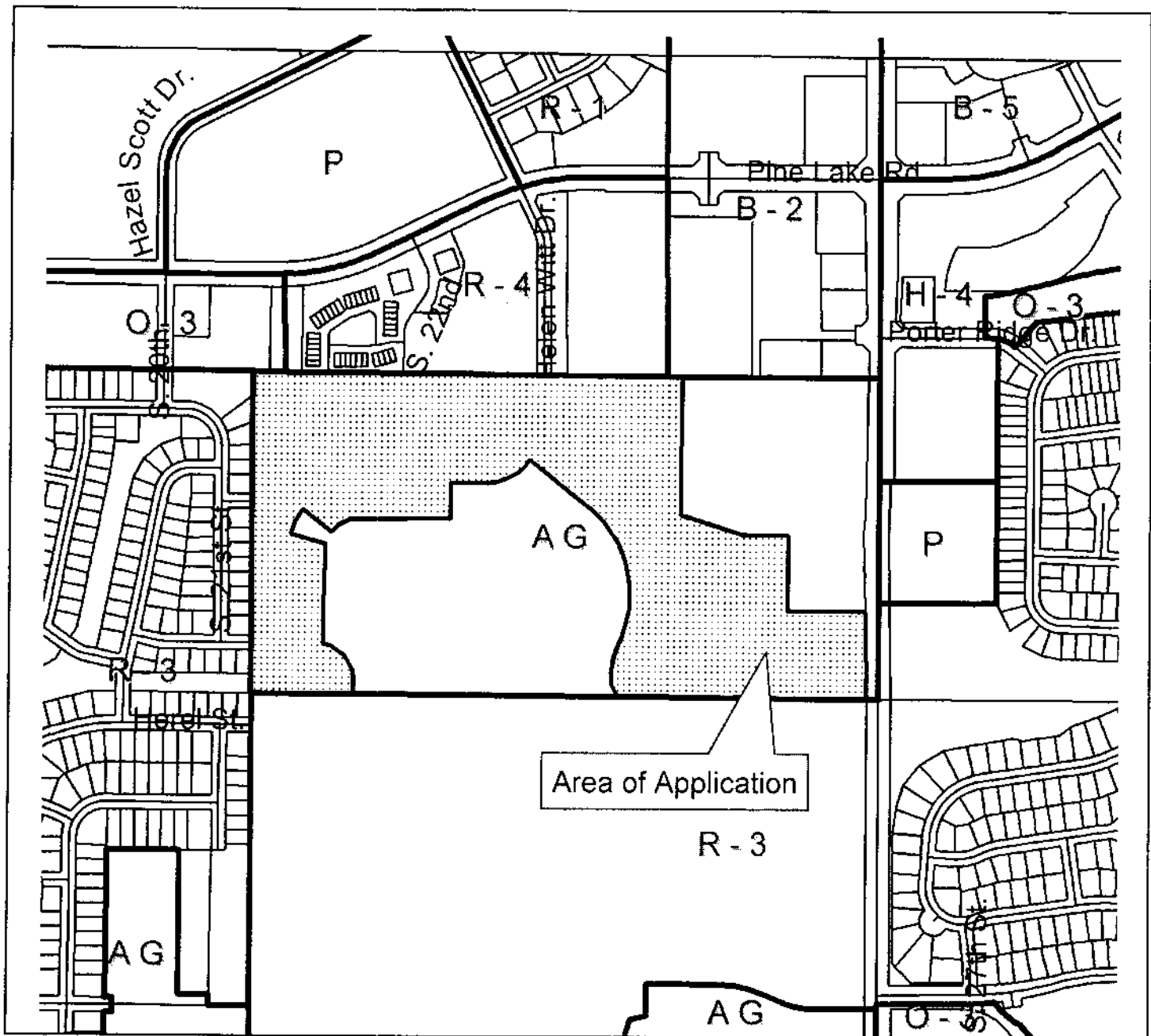
Duvall moved approval of the revised staff recommendation of conditional approval, with amendment to Condition #2 as requested by the applicant, seconded by Newman and carried 8-0: Carlson, Newman, Larson, Duvall, Bills-Strand, Taylor, Steward and Schwinn voting 'yes'; Krieser absent.



Special Permit #1988 Tamarin Ridge



014



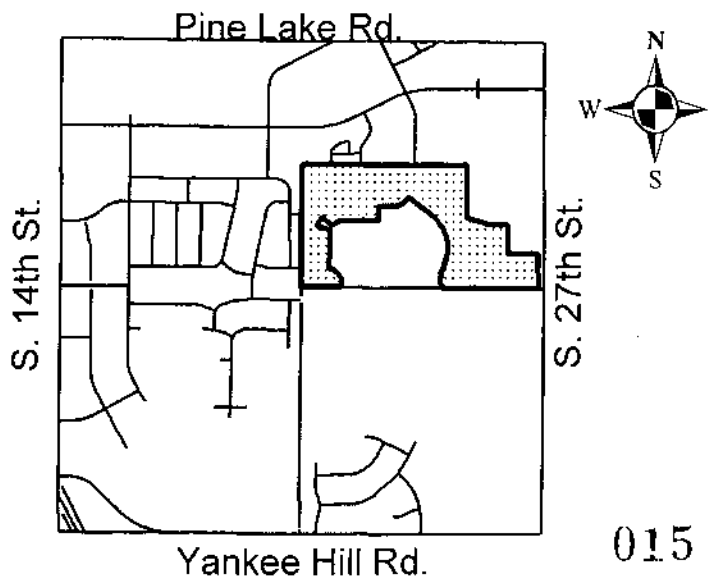
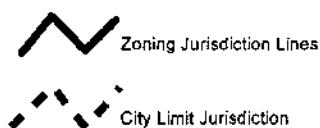
Special Permit #1988

Tamarin Ridge

Zoning:

One Square Mile
Sec. 24 T9N R6E

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District



LEGAL DESCRIPTION – C.U.P. AREA

A portion of Lot 32 of Irregular Tracts located in the Northeast Quarter of Section 24, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Beginning at the Northwest corner of Lot 32 Irregular Tract, thence in an Easterly direction on the Northerly line of said Lot 32 Irregular Tract and on an assumed bearing of S 89°36'22" E a distance of 1808.33 feet, Thence S 00°23'38" W a distance of 571.38 feet, Thence S 72°29'32" E a distance of 265.60 feet; Thence S 89°40'59" E a distance of 198.45 feet; Thence S 00°19'01" W a distance of 311.00 feet; Thence N 89°40'59" W a distance of 66.79 feet; Thence on a curve to the right having a radius of 300.00 feet, central angle of 42°20'11", on a chord bearing of N 68°30'53" W a chord distance of 216.66 feet to the point of reverse curve; Thence on a curve to the left having a radius of 300.00 feet, central angle of 51°31'30", on a chord bearing of N 73°06'32" W a chord distance of 260.79 feet to the point of tangency; Thence S 81°07'43" W a distance of 149.59 feet; Thence on a curve to the right having a radius of 450.00 feet, central angle of 43°07'47", on a chord bearing of N 30°26'11" W a distance of 330.80 feet to the point of tangency; Thence N 52°00'04" W a distance of 320.91 feet; Thence on a curve to the left having a radius of 250.00 feet, central angle of 52°23'43", on a chord bearing S 64°11'47" W a distance 220.73 feet to the point of tangency; Thence N 89°36'22" W a distance of 131.66 feet; Thence S 00°23'38" W a distance of 150.00 feet; Thence N 89°36'22" W a distance of 369.00 feet; Thence S 84°57'13" W a distance of 52.59 feet; Thence S 66°15'06" W a distance of 48.63 feet; Thence S 47°35'46" W a distance of 48.62 feet; Thence N 51°43'51" W a distance of 150.00 feet; Thence on a curve to the left having a radius of 300.00 feet, a central angle of 21°46'49", on a chord bearing of S 27°22'45" W a chord distance of 113.36 feet; Thence S 73°30'40" E a distance 150.00 feet; Thence S 06°58'45" W, a distance of 50.55 feet; Thence S 00°12'31" E, a distance of 329.70 feet; Thence S 06°38'21" W, a distance of 30.00 feet; Thence on a curve to the right having a radius of 150.00 feet, a central angle of 83°40'41", on a chord bearing of S 41°31'19" E, a chord distance of 200.11 feet to the point of tangency of said curve; Thence S 00°19'01" W a distance of 59.94 feet to a point on the South line of Lot 32 Irregular Tract; Thence along the South line of Lot 32 Irregular Tract N 89°40'59" W a distance of 428.00 feet to the Southwest corner of Lot 32 Irregular Tract; Thence along the Westerly line of Lot 32 Irregular Tract on a bearing of N 00°12'31" W, a distance of 1327.62 feet; to the Point of Beginning and containing a calculated area of 1,399,012.66 Square Feet or 32.12 acres more or less.

**CHANGE OF ZONE
SPECIAL PERMIT / C.U.P.**

This is a detailed plat map of a residential development in Philadelphia. The map shows several blocks of land, each containing individual lots. Key features include:

- 178 APARTMENT UNITS:** Located in the upper left section of the map.
- 80,000 S.F. AUTO DEALER:** A large commercial lot in the upper center.
- 143 APARTMENT UNITS:** Located in the upper right section of the map.
- PROPOSED SCHOOL/PARK SITE:** A designated area in the lower center of the map.
- Streets:** The map shows several streets, including Wesley Drive, Helen Wit Dr., and Acob Dr. It also indicates the locations of 22nd Street, 23rd Street, and 24th Street.
- Lot Numbers:** Individual lots are numbered throughout the map, such as 1 through 24 in Block 1 and 1 through 16 in Block 2.
- Scale and Orientation:** A scale bar at the bottom right indicates a distance of 100 feet. The map is oriented with North at the top.

SEP 13 2000

WILSON CITY/LANGSTON
PLANNING DEPARTMENT

DENSITY CALCULATIONS

TAMARIN RIDGE

R-4

LOT 6, BLOCK 1

80% DENSITY (Beyond 150')	100% DENSITY
225,523.46	224,703.93

225,523.46	
X 0.80	224,703.93
180,418.77	

	180,418.77
+	224,703.93
	405,122.70
	/2500 (R-4)
	162.05

162 UNITS

LOT 1, BLOCK 2

80% DENSITY (Beyond 150')	100% DENSITY
138,932.68	246,395.83

138,932.68	
X 0.80	246,395.83
111,146.14	

	111,146.14
+	246,395.83
	357,541.97
	/2500 (R-4)
	143.02

143 UNITS

SINGLE FAMILY

80% DENSITY (Beyond 150')	100% DENSITY
46,171.73	61,244.76
7,428.56	47,632.20
	64,492.59
	137,879.64
	194,862.21
	63,666.71
	69,001.31

53,600.29	
X 0.80	638,779.42
42,880.23	

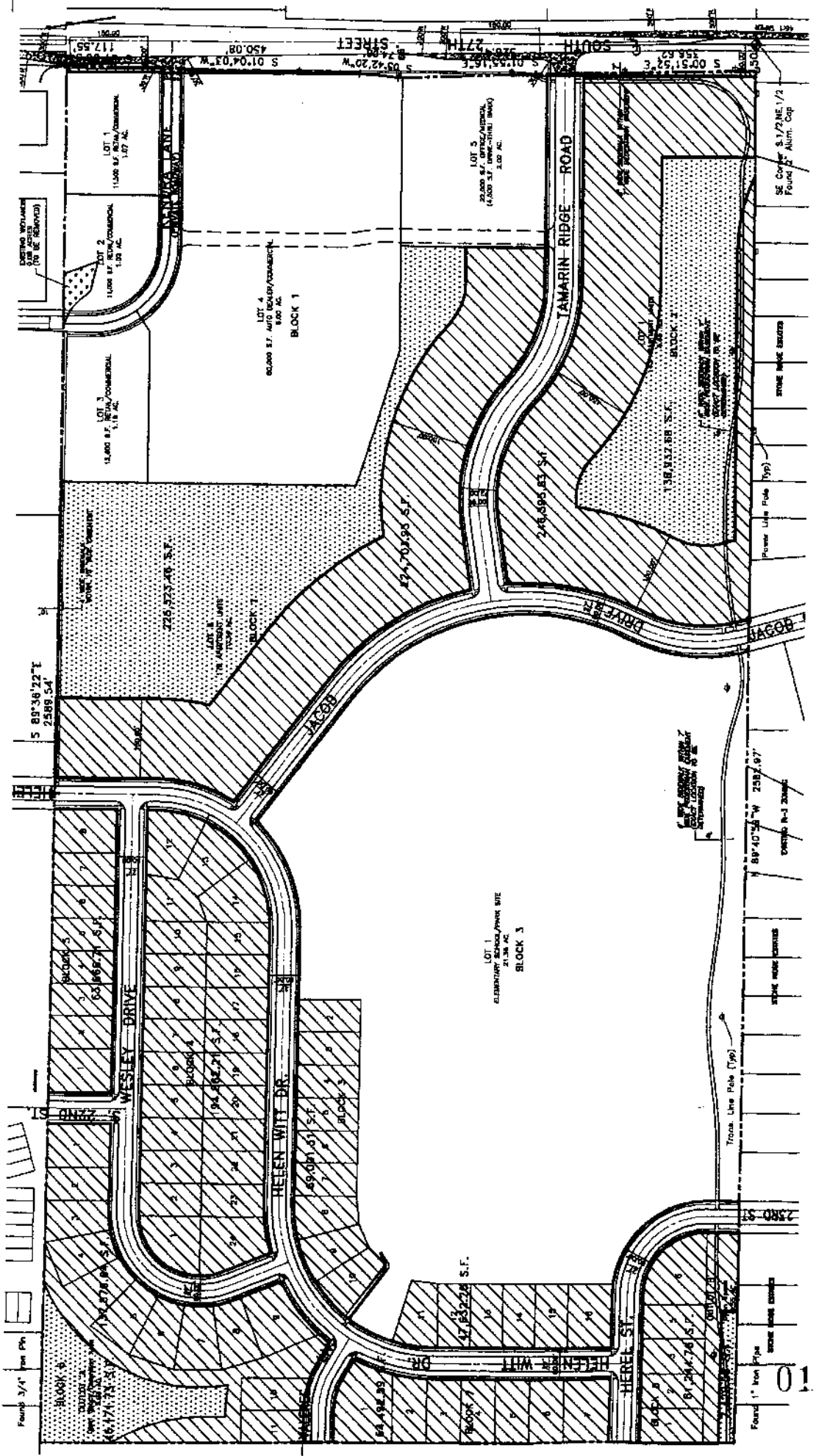
	42,880.23
+	638,779.42
	681,659.65
	/2500 (R-3)
	136.33

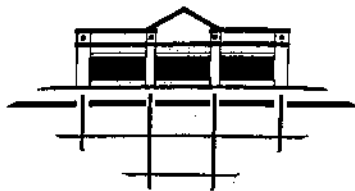
136 UNITS

TOTAL UNITS ALLOWED 441

NOV 12 2002
PLANNING DEPARTMENT

NOV 12 2002





BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

November 11, 2002

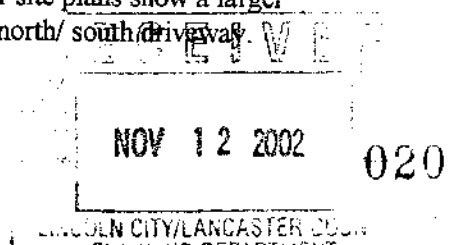
Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: TAMARIN RIDGE - SOUTH 27TH STREET AND PORTER RIDGE ROAD
CHANGE OF ZONE FROM 'AG' TO 'R-3', 'R-4', 'P', 'H-4' AND 'O-3' - #3381
PRELIMINARY PLAT - #02019
SPECIAL PERMIT FOR A 'COMMUNITY UNIT PLAN' - #1988
SPECIAL PERMIT FOR A 'PLANNED SERVICE/ COMMERCIAL DISTRICT' - #1989
USE PERMIT FOR AN 'OFFICE DISTRICT' - #147

Dear Marvin,

We are re-submitting the above mentioned project as per the letter from Planning Staff dated October 15, 2002. The following items have been revised:

1. The 6" water main in Herel Street has been revised to be shown as a 12" water main, as requested.
2. The water main in front of the commercial lots has been shown as a 8" water main, as requested.
3. The grading has been revised along the north boundary to allow for less fill over the proposed sanitary sewer, thus meeting design standards, as requested.
4. Lyle Loth has revised the grading and drainage plans as requested.
5. The traffic is attached with this submittal. The traffic study was prepared by the Schemmer & Associates.
6. Kendra Lane, the private roadway, has been widened to 33' wide, as requested.
7. We have shown a proposed centerline profile for the future 27th Street pavement improvements, as requested.
8. The traffic study identifies the acceptable distances. Our site plans show a larger distance for stacking between South 27th Street and the north/ south driveway.



9. We acknowledge that the developer will be responsible for 1/2 the cost of a 3-lane suburban cross-section roadway adjacent to this project, along South 27th Street. Additional required improvements may be identified in the Traffic Study.
10. The possibility of prohibiting left turn movements from Tamarin Ridge onto South 27th Street is not acceptable to the developer. This needs to be a 3 way intersection, possibly signalized in the future, to accommodate the residents, businesses, and the elementary school.
11. We are still awaiting comments from Fire Prevention Division. Additional hydrants will be shown as required to meet design standards if necessary.
12. The Special Permit in the H-4 area, identifies the intended uses. Any changes to the land uses would require an administrative amendment or a full amendment to the Special Permit. The Health Department would have the opportunity to comment accordingly at that time.
13. Note # 17 has been added to the General notes stating "As much tree mass as possible shall be retained. Those trees that must be removed will be disposed of in an appropriate manner in accordance with Lincoln- Lancaster County Air Pollution Regulations and Standards."
14. The easements requested by Lincoln Electric System has been added and note # 6 has been revised to add the following "Blanket utility easements are hereby granted on all lots except building envelopes. Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards. Landscaping material selections within easement corridors shall follow established guidelines minimum clearance from utility facilities."
15. The statement "on future amendments" has been added to general note #4.
16. Note 9 of Use Permit General Notes and Note # 7 of Special Permit General Notes has been revised to state " The square footage in the land use tables shown on this page may be adjusted by administrative amendment."
17. The symbols/ abbreviations in the landscape table has been revised to match the correct symbol/ tree.
18. Note #5 has been added to the Community Unit Plan General Notes, to coordinate recreational facilities, as requested .
19. Valree Lane has been revised to Valeree Lane throughout the plat, as requested.

RECEIVED

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20. The note on Lot 4, Block 1 (Auto-Dealer/Commercial) has been revised to add the following "Actual location to be determined with the approval of the site plan for the Special Permit." However, the future automobile dealership will construct gates across this access easement so that their site can be secured after business hours.
21. Density calculations have been provided for your review.
22. A table showing lots, outlots and blocks has been added to the plans.
23. General note #1 has been revised as noted, as requested.
24. Existing volunteer tree masses have been identified and shown on the landscape plan. Tree masses to be removed have been shaded and noted accordingly.
25. A land use table has been added to the plans, as requested.
26. A legend has been added to the plans, as requested.
27. The text identifying pedestrian sidewalks has been revised, as requested.
28. We have not added the general note as requested. We have been contacted by a banking institution that will require a building that exceeds the 5,000 square foot maximum footprint required with the 'R'-T requirements. Also, the building may be taller than 21 feet. It is important to note that the adjacent apartment buildings to the south and west are much larger and have the potential to be 45 feet in height. There is an existing L.E.S. Substation immediately east of this site. Therefore, this request seems unnecessary with the existing and proposed land uses adjacent to the site.
29. The rear yard setback along the rear property line for Lot 5, Block 1 has been revised as requested.
30. The location of the proposed driveway on Lot 4, Block 1 has been revised to allow for a proper slope. Lincoln Public Schools has entered into a purchase agreement. Attachments were included in the agreement, including the grading plan. The grading plan with this re-submittal and their agreement are the same.
31. A dimension has been added to the east property line of Lot 5, Block 1 as requested.
32. The front yard setback on the residential lots have been removed as requested.
33. We have located some potential, 3 story, 24 unit apartment buildings, to show that there is room for them along the north side of Tamarin Ridge Road, immediately south of the proposed auto dealership.

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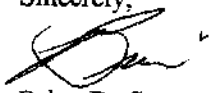
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34. A 6 foot high solid opaque fence will be installed along the property line between the auto dealership and the apartment site. The requested waiver only affects our development. Potential purchasers of Lot 6, Block 1 will know the auto dealership is planned. Additional landscaping is shown on the apartment site to enhance the screening. Planting of the landscape screening on the auto dealership side of the fence is not really an enhancement to the adjacent apartment site.
35. A. This requirement is not acceptable to the owner/ developer. As per my meeting with Brian Will and Steve Henrichsen, we have shown additional landscape screening on the apartment site. We will agree to plant that landscape screen within 2 years of occupancy of the auto dealership.
- B. Note #3 has been revised as requested.
- C. Note # 3 has been revised as requested.
- D. Note #3 has been revised as requested.
- E. Note #14 has been added to address the overhead doors as requested.
- F. Note #15 has been added to address the outdoor speakers as requested.
- G. Note #16 has been added to address lighted bands and signage as requested.

Standard items 1, 2.1-2.7, 2.9-2.11 are agreeable to the owner/ developer, as those items are required by adopted subdivision regulations. However, the construction of the sidewalk in the pedestrian easement in Lot 6, Block 1 may not be appropriate at the time of construction of Helen Witt Drive, as a more desirable location may be found when the final apartment and H-4 retail site plans are prepared.

We look forward to scheduling this project onto the Planning Commission's agenda as soon as possible. Please feel free to contact me if you have any further questions.

Sincerely,

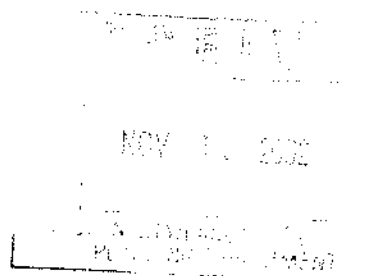


Brian D. Carstens

cc. Tom Folsom, Sue Brouse, Mark A. Kisker- Wells Fargo Trust, Jerry Slusky- Gross & Welch

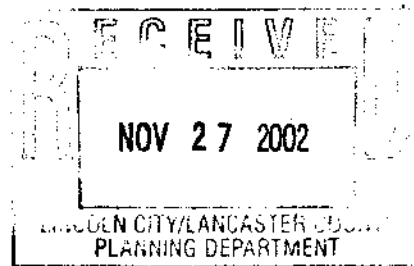
Enclosures:

- 5 Sets of Sheets 1 through 6
- 8-1/2 x 11 Reductions of the Plans
- 5 Copies of the Traffic Impact Analysis



Memorandum

To: Brian Will, Planning Department
From: *MB* Dennis Bartels, Public Works and Utilities
CB Chad Blahak, Public Works and Utilities
Subject: Tamarin Ridge Preliminary Plat
Date: November 27, 2002
cc: Randy Hoskins
Dennis Bartels
Nicole Fleck-Tooze
Devin Biesceker



Engineering Services has reviewed the re-submitted preliminary plat and use permit for Tamarin Ridge, located west of South 27th Street south of Porter Ridge Road and has the following comments:

1. Grading and Drainage - Details for outlet structures need to be shown and stage-discharge information needs to be provided as per the Drainage Criteria Manual.

The grading contours for detention area B shows the 100 year flood elevation higher than the top of the pond and should be adjusted accordingly, maintaining required storage capacity.

Detention area C does not meet design standards for embankment width (14' minimum), embankment side slope (4:1 maximum), or bottom slope for unpaved areas (2.00% minimum) and should be adjusted accordingly maintaining required storage capacity.

Detention area A does not meet design standards for embankment width (14' minimum) or bottom slope for unpaved areas (2.00% minimum) and should be adjusted accordingly maintaining required storage capacity.

Detention area B does not meet design standards for embankment width (14' minimum), embankment side slope (4:1 maximum), or bottom slope for unpaved areas (2.00% minimum) and should be adjusted accordingly maintaining required storage capacity.

Show cross section with 100 year elevation for drainage swale between Lots 10 and 8/9 in Block 6, Lots 4 and 5 in Block 6, and show cross section for swale between Lots 10 and 11 in Block 3.

2. Water - The developer must agree to contribute ½ the cost of an 8" equivalent water main for its 27th Street commercial frontage and ½ the cost of a 6" equivalent water main for its residential frontage on the existing and proposed 16" water main in South 27th.

3. Sanitary Sewer - As noted in the first review, the sewer between Kendra Lane Helen Witt Drive runs through a ridge line. The information concerning depths previously requested was not provided. The letter indicates the grading through this area has been revised but the grading plan is incomplete and does not show enough information to determine the sewer design.

4. Street System - The traffic study submitted with this second plat submittal identifies several issues that must be addressed before this plat continues in the review and approval process. The study identifies a sight distance problem at the intersection of South 27th and Tamarin Ridge Road. Platting a street at a location where this problem is created is unacceptable. Since the proposed zoning is based upon the street location, the issue needs to be resolved. South 27th will be widened to a 4-lane divided cross-section. The permanent street improvements and the developer's obligations need to be based upon the ultimate cross-section, not the existing rural section. Any turn lanes needed in the interim are the developer's obligation. The plan does not address the access to the school and potential need for wider paving and right-of-way to serve the school.

The street grade submitted for 27th Street does not show the existing ground line. It cannot be determined if the grade shown and corresponding sight distance problem is caused by existing grades or if grade adjustments are feasible. The grades show a 5.37% grade that the application and impact study indicate should be signalized. This grade at the intersection is unacceptable for a signalized intersection.

The traffic impact study has not been fully reviewed, but one major deficiency has been identified. The study does not assume any traffic from this plat will utilize the 27th and Porter Ridge signal. The commercial area of this plat along Kendra Lane will use the private road system to access the private road system to access the private road connection to this signal. This assumption will change traffic distribution at other intersections.

Public Works maintains the option to eliminate left turns from Tamarin Ridge Road to 27th Street rather than installing a signal. If the traffic impact study shows unacceptable turning movements and access from this development to satisfy the developer's concerns, the plat should be revised to provide better access to existing or proposed signalized intersections.

The plan shows a gated access easement across Lot 4, Block 1. The gate prevents full time access to the 27th and Porter Ridge signal. Access should be relinquished along Tamarin Ridge Road from this access easement east to 27th Street.

A formal agreement is needed concerning the developer's obligation for traffic improvements to the surrounding arterial street system.

5. General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system and public storm sewer system has been reviewed to determine if the sizing and general method of providing service is satisfactory. Design consideration including, but not limited to, location of water main bends around curved and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant locations, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connecting storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.



Memo

To: Brian Will, Planning Department

From: Mark Canney, Parks & Recreation

Date: September 19, 2002

Re: Tamarin Ridge Sp 1988, 1989 PP 02019 CZ 3381, UP 147

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

1. Snowdrift Crabapple is subject to scab and fireblight. Please substitute with Professor Springer Crabapple.
2. Red Oaks have difficulty getting established. Please give consideration to substituting with Swamp White Oak.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.



INTER-DEPARTMENT COMMUNICATION

DATE December 2, 2002

TO Brian Will, City Planning

FROM Sharon Theobald
(Ext. 7640)

SUBJECT DEDICATED EASEMENTS
DN #73S-24E

Attached is the Preliminary Plat for Tamarin Ridge.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements as noted. Also, please include "Distribution" in the Transmission line easements.

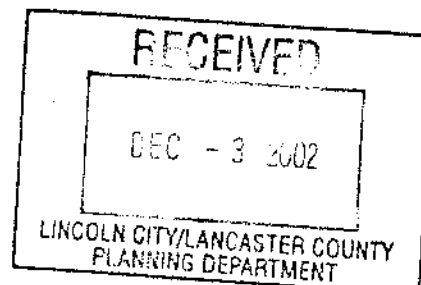
It should be noted, any relocation of existing facilities will be at the owner/developer's expense.

The following statements have been included in Item 6 of the General Notes except "to maintain" was omitted, please make this correction.

Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards.

Landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

ST/nh
Attachment
c: Terry Wiebke
Easement File



TAMARIN RIDGE MOTIONS TO AMEND

SPECIAL PERMIT #1988 FOR C.U.P.

2. This approval permits ~~391~~ 441 dwelling units. Waivers to maximum height from 35' to 45', and to defer the review and approval of site plans, ground signs and required landscape plans until the time of building permits, are approved for the multiple family buildings in the R-4.

PRELIMINARY PLAT #02019

1.3 The applicant submits revised centerline profiles for South 27th Street, Tamarin Ridge Road, and Kendra Lane for review and approval by Public Works and Utilities.

1.4 The applicant submits a revised Traffic Impact Analysis for Tamarin Ridge for review and approval by Public Works and Utilities.

SPECIAL PERMIT #1989- H-4 PLANNED SERVICE COMMERCIAL

1.1.3 The H-4 General Note #13 modified to state "...DURING NON-BUSINESS HOURS, ~~4~~ 8 P.M. TO 7 A.M."

1.1.4 The H-4 General Note #3 modified to state "...~~4~~ 8 P.M. AND TO 7 A.M."

1.1.5 The H-4 General Note #15 modified to state "...ON THE AUTO DEALERSHIP LOT ONLY." MENU BOARD SPEAKERS ON DRIVE THRU'S SHALL BE PERMITTED.

1.1.6 The H-4 General Note #14 modified to state "~~There shall be no OVERHEAD doors that open into mechanic/ service bays on the South and West sides of the building~~ SHALL BE 100% SCREENED WITH CONIFEROUS TREES, AT LEAST AS HIGH AND TWICE THE WIDTH OF SAID DOOR AT TIME OF PLANTING. ~~Only~~ Doors for showroom access, new car prep or delivery area ARE EXEMPT FROM THIS SCREENING REQUIREMENT.

USE PERMIT #147

NONE